

Westfield-Washington Advisory Plan Commission held a meeting on Monday, November 15, 2010 scheduled for 7:00 PM at the Westfield City Hall.

Opening of Meeting: 7:00 PM

Roll Call: Note Presence of a Quorum

Commission Members Present: Robert Smith, Dan Degnan, Pete Emigh, Cindy Spoljaric, Steve Hoover, Bob Horkay, and Bob Spraeatz

City Staff Present: Matthew Skelton, Director; Kevin Todd, Senior Planner; and Brian Zaiger, City Attorney

Approval of the Minutes:

Motion to approve minutes of October 18, 2010 as presented.

Motion: Emigh; Second: Spraeatz; Vote: Pass by Voice Vote

ITEMS OF BUSINESS

Case No.	1010-PUD-11
Petitioner	Pulte Homes of Indiana
Description	Southeast Corner of 161 st and Oak Ridge Road; Petitioner requests amendments to the development standards of the Viking Meadows PUD.

Mr. Steve Hardin, Baker & Daniels, presented details and changes to the previous proposal. He stated that there would be no change in the total number of lots within Viking Meadows, but that the proposal is to reapportion some of the sizes of the lots. He also stated that there have been changes to home square footages, revised setbacks and amended architectural standards. Hardin stated that as a result of meeting with the homeowners, changes have been made regarding buffer increases, mounding, landscaping, and new internal buffer requirements. He also added that there were discussions regarding amenities, including a timeline for when the amenities will be completed. Hardin stated that after the PUD ordinance was submitted to the Commission last week, further suggested revisions were received from the homeowners group, including several items which would make the PUD ordinance more restrictive. Hardin reported that Pulte has agreed to those changes and will provide them to staff and incorporate them into the ordinance before it goes to City Council.

Mr. Dave Compton, Pulte Homes, discussed Parcels E and F, stating that new standards were incorporated into the PUD proposal as a result of discussions with J.C. Hart. He further stated that the stakeholders have requested detailed plans for this area before considering amendments. Compton announced that Pulte would like to withdraw the proposed changes to Parcels E and F for consideration this evening.

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2 Smith asked for any public comments.
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4 Mr. Ed Anania, representing Viking Consulting, LLC, stated that current property owners
5 understand the reality of the current real estate market, and they believe their best choice is to
6 support the amendments.
7

8 Mr. John Dietz stated that this was a difficult and contentious process and he is in opposition to
9 accepting the proposed PUD amendments, based on the quality of the interaction experience in
10 working with the petitioner.
11

12 Mr. David Brooks, representing a single resident in the Two Gaits Section (Parcel B), stated
13 support of the group for whatever is requested in Parcel A; but opposed any changes to the PUD
14 in Two Gaits. He stated that discussions with Pulte have really just begun and he believed that
15 there was more for them to discuss. He asked the Commission to not make a recommendation
16 with respect to Two Gaits at this time.
17

18 Zaiger stated that the Plan Commission may only consider what is before them as a whole. They
19 cannot choose to remove sections of a proposal from their recommendation.
20

21 Mr. Greg Cradick believes the survey is invalid because it did not ask the homeowner if they
22 understood what was before them. He further questioned what liability in opposing the
23 amendment would someone be subjected to. He further stated that the decision to downgrade the
24 PUD is fully and completely the responsibility of City Council. He believes that the amendment
25 to the PUD should be denied or tabled until an accurate assessment of the vote can be taken and
26 a true survey can be relied on.
27

28 Ms. Melody Jones, Parks Director, City of Westfield, stated support of withdrawing Parcels E &
29 F. She also expressed concerns regarding the Meadowlands and how it relates to the Monon
30 Trail. She stated that she has met with the Pulte team and discussed the existing access point on
31 the west side of the trail in the Meadowlands area, which leads to the clubhouse area. She
32 mentioned the need to either repair or remove the existing gateway structure at this trail
33 intersection. She further stated that she does not see anywhere in the PUD that this access point
34 has been addressed.
35

36 Ms. Linda Naas, representing 161st Street neighbors, expressed concern that the value of that
37 neighborhood overall will change if this is approved. She also asked the Commission to review
38 page 39 of Comprehensive Plan, especially in the suburban residential section, the bullet points
39 regarding... "new development should be permitted only upon a demonstration that it will not
40 alter the character of the area and not generate negative land use impacts." She further quoted the
41 Comprehensive Plan, stating that infill development should be "compatible in mass, scale,
42 density, materials, and architectural style to existing development." She asked if there are other
43 quality developers interested in the Viking Meadows property as the PUD exists. She wondered
44 why the City is considering this Pulte Amendment, which she believes reduces the quality and

1 devalues this neighborhood. She requested the Commission send a negative recommendation to
2 the City Council.

3
4 Ms. Susan Ayers, Meadowlands resident, wondered if there is a way to make Pulte incorporate
5 the architectural standards into the PUD, which is what the residents really want. She further
6 stated that she voted for the “best of two evils” in supporting the amendments.

7
8 Mr. Rob Stokes, Westfield City Council, asked Mr. Anania who he was representing, and how he
9 determined the results of the survey.

10
11 Anania stated that this was an informal survey, prepared among members of the LLC, which
12 incorporates the final proposed revision to the PUD by Pulte.

13
14 Stokes asked if the survey represents the current PUD.

15
16 Anania stated that there were three options: one to support the PUD proposal, including the
17 changes to Parcels E & F; one to support the PUD proposal, excluding the changes to Parcels E
18 & F; and the last one was to oppose the PUD proposal, while understanding the ramifications of
19 that action.

20
21 Stokes asked Anania to distribute the survey to the Commission and the City Council.

22
23 Public Comments ended.

24
25 Spoljaric stated hesitation to vote tonight due to the fact that she is not comfortable with the
26 discussions with the Parcel B neighbors still on-going. She further questioned some of the vague
27 points in the PUD itself, specifically the masonry requirement that requires “some masonry”, and
28 the fact that garages on ranches can have three car garage, but they do not have to be side-load.
29 She wondered why there was no information on a percentage of the front facade which can be
30 garage.

31
32 Hoover asked to hear from the petitioner regarding the comments heard tonight.

33
34 Hardin responded to public comments, including the issue brought up by Jones regarding the old
35 structure, stating that Pulte has agreed to remove that but did not believe it needed to be in the
36 PUD ordinance. He also responded to Mr. Brooks’ comments stating that Pulte would echo the
37 fact that there have been productive discussions regarding Two Gaits and would agree with what
38 Mr. Zaiger stated and requested that the Commission send the petition to the Council with a
39 favorable recommendation with the understanding that there are still discussions to be had with
40 the residents of Two Gaits and they would certainly have the right to remonstrate at the Council
41 level. He discussed the garage orientation, stating that two-story homes would accommodate
42 side load, and since ranches are front-load homes there will be decorative doors on those
43 garages.

1 Degnan asked for a review of what was driving the need to change the current standards and also
2 asked for a more specific amenity timeframe.

3
4 Compton stated that since the original PUD was approved, architectural styles have evolved. He
5 stated that Pulte believes that the proposed changes provide more architectural interest, while
6 meeting the needs of the current market. He also discussed the timeline and phases of the
7 amenity area.

8
9 Hoover asked about the trail connection from the clubhouse area to the Monon and whether Pulte
10 is committing to make that connection.

11
12 Compton responded that there will be a connection from the clubhouse to the Monon Trail.

13
14 Jones stated that it is not just the access point that is needed, but that signage, landscaping, and
15 maintenance will also be needed.

16
17 Compton responded that they are not far enough along in the design of that area to make specific
18 commitments regarding the trail access, but he did commit to continue to work the Community
19 Development and the Parks Department on this issue. He did commit to take responsibility of
20 the trail connection through the homeowners association. Regarding Two Gaits, Compton stated
21 the desire to get a recommendation from the Plan Commission which includes the Two Gaits
22 section as it is today. He further noted that there will be additional discussions with those
23 neighbors between now and the City Council meeting.

24
25 Smith asked what the current proposal was for Two Gaits.

26
27 Hardin responded that Exhibit G shows an enclave in Two Gaits, which provides for an increase
28 in square footage and windows, side load garages, and an increase in landscaping.

29
30 Hoover stated that he realizes the current homeowners will not be 100% satisfied with the
31 proposals, but he views this as a PUD enhancement because of the many requirements pulled
32 from the covenants. He believes the PUD as proposed, is much more predictable than the pre-
33 existing PUD and that the benefits outweigh the detriments. Therefore, Hoover proposed this be
34 moved forward in its latest form knowing that there could be some additional changes prior to it
35 reaching the City Council.

36
37 Degnan stated his difficulty in supporting this amendment and further stated he is not sure the
38 clear majority has been represented here.

39
40 Spoljaric expressed concern about items being more clearly defined, vagueness in the ordinance
41 being cleaned up, and that the Commission taking the time to insure that the original vision for
42 Viking Meadows is not lost.

43
44 Horkay expressed concern about not voting to send a favorable recommendation tonight, but
45 advised the Commission to continue the item.

1
2 Smith asked the Commission what the general thought is on whether to vote tonight or continue
3 the item.

4
5 Hardin stated that Pulte would not be in favor of a continuance and that if the item is continued,
6 Pulte would have to withdraw the PUD amendment and move forward with the project under the
7 current standards.

8
9 Hoover asked if the Commission voted at the December 6, 2010 meeting, would the petitioner
10 still be able to go before the Council on December 13, 2010.

11
12 Staff responded yes.

13
14 Councilor Tom Smith believes he can commit that the City Council will be able to vote in
15 December on this project, even if it is continued to the December 6, 2010 Advisory Plan
16 Commission meeting.

17
18 Smith declared this item concluded and continued to December 6, 2010.

19
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21 **COUNCIL LIAISON**

22
23 Hoover stated the City Council is reviewing some potential changes to the tent ordinance to
24 address some concerns raised. He also stated that they are close to completing a sign ordinance
25 revision as a result of some issues raised.

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27
28 **BZA LIAISON**

29
30 Degnan reviewed the outcomes of the most recent BZA cases.

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32
33 **ADJOURNMENT** (8:35 p.m.)

34
35 Approved (date)

36
37 _____
38 President, Robert Smith, Esq.

39
40 _____
41 Vice President, Cindy Spoljaric

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43 _____
44 Secretary, Matthew S. Skelton, Esq., AICP